



UTAH DBE NEWSLETTER

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Volume 2

JANUARY 2005

TRAINING OPPORTUNITIES FOR DBE'S

JANUARY 12TH DBE TRAINING SEMINAR JANUARY 26TH PRIME CONTRACTOR/ SUBCONTRACTOR TRAINING SEMINAR

Salt Lake City Department of Airports (SLCDA) and The Utah Department of Transportation (UDOT) have scheduled their **combined annual DBE and Prime Contractor/Subcontractor Training Seminars** for the below listed dates. The seminars are **free of charge** and require **RSVP's**.

LOCATION: Hilton Hotel, Salt Lake City Airport location: 5151 Wiley Post Way. (I-80 West, Exit 114, turn left at first light. Call 801-539-1515 for detailed directions).

Annual DBE Training: January 12, 2005 from 8:00 am to 12:00 pm. Breakfast is included. This seminar is primarily for certified DBEs, and potential DBEs.

Annual Prime Contractor Training: January 26, 2005 from 8:00 am to 12:00 pm. Breakfast is included. This seminar is primarily for prime contractors and subcontractors who bid on SLC Airport or UDOT projects.

RSVP: Paul Marshall (801) 575-2945 or paul.marshall@slcgov.com

The Small Business Administration (SBA) OFFERS THE FOLLOWING TRAINING ON THEIR WEB SITE:: Doing Business in Utah
<http://www.utah.gov/business/main/index>

STARTING A BUSINESS

- Assess your idea
- Write a business plan
- Financial Resources
- Select your business structure
- Government Business Requirements
- Counseling and Resources
- Training and Events
- Statistical Information
- Human Resource Assistance.

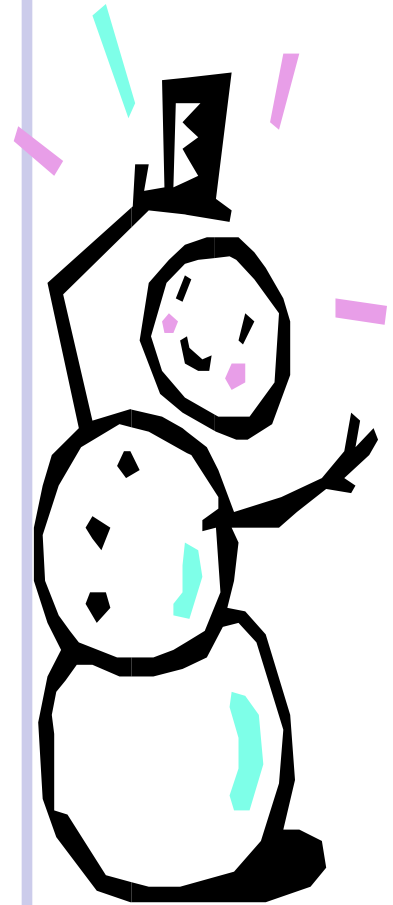
RUNNING A BUSINESS

- HR & financial resources
- Business requirements
- Counseling and resources

CLOSING A BUSINESS

- Legal status changes
- Termination of operations
- Licensing and resources

[The Small Business Development Center](#)



FOR BIDDING OPPORTUNITIES SEE PAGE 3

Special points of interest:

- Bidding opportunities: SLCDCA, UTA, UDOT
- The Small Business Administration (SBA) offers training.
- Flagger Training
- Certification Reviews/Annual Updates
- UDOT Prime Contractor can now sub out 70% of work.
- What to do when awarded a project.
- DBE's needed as Gate Guards.
- SBA Microenterprise Loan Fund



ITEMS OF INTEREST

UDOT

SUB-OUT 70% OF WORK

A UDOT prime can now sub-contract out 70% of the work on UDOT projects. Please read the complete specification (Section 00555 Prosecution & Progress, 1.4

"Subletting Contract."

www.udot.utah.gov/download.php/tid=844/2004StandardSpecifications.p

UDOT

DBE's—WHAT TO DO WHEN AWARDED A PROJECT

After project award, the DBE should protect himself from damages by communicating with the prime contractor, asking prime for a schedule, documenting daily job activity in a diary, have skilled personnel & fulfill all Federal requirements.

SLCDA

DBEs NEEDED AS GATE GUARDS

SLCDA Engineering Department and Construction Contractors have just agreed to let the Prime Contractor provide gate guards on projects. It has been suggested that DBEs could be used for this. If interested, contact Paul Marshall (801) 575-2945.

TRAINING OPPORTUNITIES FOR DBE'S (CONTINUED)

(SBDC) has been serving small businesses and startups since 1980. This program is funded by State and Federal Government as well as Universities. There are eleven centers across the state: Sandy (Lead Office) (801) 957-3493; Cedar City (435) 586-5400; Ephraim (435) 283-7376; Logan (435) 797-2277; Ogden (801) 626-7232; Orem (801) 863-8230; Price (435) 637-5444; Salt Lake/Tooele/Summit—Sandy office (801)

957-5200; Blanding (San Juan County) (435) 678-2201; St. George (435) 652-7741; Vernal (435) 789-6100. They offer free consulting, educational workshops and courses. They provide free consulting in [business plan development](#), [cash flow analysis](#), [financial statements](#), [advertising](#), [marketing](#) and more. For more information visit www.usu.edu/sbdc/ or (www.slcc.edu/sbdc).

Zion's Bank Women's Financial Group (801) 594-8150 also offers free counseling services.



FLAGGER CERTIFICATION COURSES OFFERED IN UTAH

Mountainland Applied Technology College is offering Flagger Training for contractors: January 14th, 22nd, February 11, 19 or 25th. The training lasts approximately two and a half hours and includes a final exam. Must be 18 years old.

Certification is good for three years. Individuals who successfully complete this training will receive UDOT Flagger certification. The job of being a Flagger is an important one—the lives of workers and those of the traveling public rest with

the Flagger's ability to competently perform the job.

Highway Flagger responsibilities are outlined in Part 6 of the MUTCD. For further information look at this site: www.MountainlandATC.org or call: (801) 863-MATC(6282) or (888) 293-MATC (6282)

SALT LAKE CITY DEPARTMENT OF AIRPORTS BUSINESS OPPORTUNITIES (1ST Quarter):

1. **Taxiway "M" Reconstruction** project (approximately \$3 Million) will be advertised for **bid next week** and will start in April. This project will reconstruct taxiway M on the airfield.
2. **Terminal 2 Modifications** for EDS project (approximately \$11.5 Million) will be advertised for **bid in February** and will start in March. This project is a major facility modification project. DBEs with building skills should consider working on this project.

Contract documents are free to certified DBEs. Simply bring a copy of your certification letter to the Engineering Department, sign for, and pick up a complete set of contract documents. For more information regarding either of these projects contact Paul Marshall at 801-575-2945."



Upcoming projects at Utah Transit Authority

Project

RFP - Interior design of Diesel Maintenance Facility
RFP – Construction of 9th South TRAX Station
Commuter Rail Construction Project

Bid Timeframe

late January 2005
early Feb. 2005
April 2005

Upcoming bid and procurements are posted on the UTA DBE webpage and advertised in the 'legal notices' section of the daily newspapers:

<http://www.rideuta.com/utaInfo/businessOpportunities/dbe/default.aspx>

plan holders list and plans are available for DBE companies. Contact UTA's DBE officer for more details, when a project is posted.

Every Thursday, the UTA purchasing department has open buy day. This is an opportunity to meet with UTA's buyers and present goods / services your company provides. Or call the purchasing department at 801-262-5626 to set an appointment.

Labor and EEO Compliance Workshop Requirement

On all federally funded UTA projects, it is a mandatory for all contractors to attend the Department of Labor's Technical Training workshop (2 hour). This is scheduled by UTA's DBE Liaison Officer, 801-287-3537. UTA works closely with the Office of Federally Funded Contracts, and Wage & Hour Division on Labor / EEO Compliance of it's projects. The technical workshop covers all the reports, guidelines and regulations regarding Davis Bacon wages.

BID ON UDOT PROJECTS

RECEIVE AUTOMATIC E-MAIL NOTIFICATIONS OF UDOT PROJECTS THAT ARE BIDDING:

The following web site explains how to sign up :

<http://www.udot.utah.gov/index.php/m=c/tid=552>

The following web site is where you sign up.

http://listserv.dot.state.ut.us/scripts/lyris.pl?join=bid_notices

The following web site is where the UDOT projects are located:

<http://www.udot.utah.gov/index.php/m=c/tid=317>

UTAH UNIFIED CERTIFICATION PROGRAM (UUCP) IMPLEMENTS END OF 3RD YEAR CERTIFICATION REVIEWS

(as of January 2005)

Written by Paul Marshall and Beverly Crawford

In December of 2004, the Utah Unified Certification Program (UUCP) Administrators agreed to conduct certification reviews at the end of each DBE's 3rd year of certification. These reviews have been implemented to enhance fraud detection and fraud prevention. Fraud detection and prevention protects the DBE program from abuse and attack. DBE Program Administrators are required to implement appropriate mechanisms to ensure compliance with DBE program requirements by all program participants. Accordingly, we sincerely appreciate your cooperation in conducting the reviews. Reviews are one mechanism administrators use to ensure only firms that fully meet eligibility standards are permitted to participate in the DBE program.

Certification reviews are essentially the same as an initial certification, except firms remain certified during the review process. The review will require the DBE to fill out a new application and the UUCP Administrator to perform an On-site Interview. This new policy is effective immediately. The first reviews will take place this month. Firms subject to the review will be notified via a letter in the mail.

DBE ANNUAL UPDATE

The U.S. Department of Transportation Disadvantaged Business Enterprise Program (49 CFR Part 26), states that initial DBE certifications are for a minimum of 3 years. The initial 3-year certification does not mean there isn't paperwork for 3 years. In fact, every year, on the anniversary date of the initial certification, each certified firm must submit annual update documents.

Annually, within 30 days of the DBE's initial certification anniversary date, a DBE Program Administrator will send the DBE an annual update package to be completed within 30 days. (The annual update package would need to be returned to the DBE Program Administrator who initially sent it to you). After receipt of all requested documents, a letter from the DBE Program Administrator will be sent to the DBE. The letter will grant continued participation for that particular calendar year.

Airport Concessionaires Annual Update Package: If your firm is an airport concession, the annual update must include the following: current year's signed U.S. business and personal income tax returns (signed), a current Balance Sheet and Income Statement and a signed, notarized "No Change Affidavit." At the current time, concessionaires are not required to submit a personal net worth statement.

All other DBE's: For DBEs, other than Airport Concessionaires, the annual update submission must include the current year's U.S. personal and business income tax returns (signed), a personal net worth statement, a current Balance Sheet and Income Statement and a notarized "No Change Affidavit."

Annual Update Article Continued from page 4

Income tax returns are critically important to the administration of the DBE program. Business and personal income tax returns are used to verify that the firm does not exceed the legal size limits of the DBE program. Business size limits are based on gross receipts (by industry). Gross receipt limits for each Industry are established by the Small Business Administration (SBA). Contact Paul Marshall at (801) 575-2945 for a copy of the current SBA small business size limits. If a firm's 3 year average gross receipts exceed the allowable 3-year average, then the firm will be graduated out of the DBE program. Please note that if later the firm's 3-year average gross receipts fall below the allowable limit for the DBE's particular industry, then the DBE may re-apply for participation in the DBE program again.

The personal net worth statement is also used to check for continued program eligibility. There is no provision to average personal net worth over 3 years. The law does not allow continued eligibility if the owner of the firm has a personal net worth in excess of \$750,000. However, the regulation does authorize the equity in your firm and primary residence be subtracted from the owner's unadjusted net worth. This means that firms can remain eligible for participation in the program longer by placing profits and assets in the business. It also means that DBE's are not penalized for their portion of the equity in their primary residence.

The annual signed and notarized "No Change Affidavit" is required for all DBE's. The "No Change Affidavit" is a legal requirement for business owners to validate each year that there has been no change (from initial certification) in the control, ownership, or management of the firm. Here the law is simply verifying that there has been no change in the firm's control, management, or ownership that might prevent continued eligibility in the program. Failure to provide this affidavit, PNWS, tax returns and financials in a timely manner each year is a serious matter. Failure to submit these documents each year on the anniversary of the firm's initial certification will result in the firm being deemed to have failed to comply with a requirement of 49 CFR Part 26. The firm's eligibility can then be removed.

We hope this discussion of DBE program annual update requirements helped you understand why DBE program administrators ask for the annual update and associated personal information.



SAFETY TOPIC FOR UDOT PROJECTS

By Pete Negus, UDOT Engineering Mgr.

UTILIZING UDOT'S CONSTRUCTION SAFETY HEALTH MANUAL AND PRIME'S TRAFFIC CONTROL AND SAFETY PLAN FOR PROJECT SAFETY

UDOT expects a contractor/subcontractor to protect workers and the public while performing work on a project by following industry standards for safety. The UDOT Construction Safety Health Manual, available on the UDOT web site gov/index.php/m=c/tid=110/item=6135/d=full/type=1 gives details on these requirements. Two other documents, the prime contractor's safety plan and the traffic control plan, can also be used to improve the safety on a project. A subcontractor planning to work on a project should obtain copies of these documents and incorporate them into job preparation and safety training prior to starting work on a project.

The prime contractor has a contract with UDOT to perform a specified amount of work by a certain time. Depending on the complexity of a project a more specific safety plan may be necessary to cover the requirements of a project. A subcontractor who works on a UDOT project should discuss safety requirements with the project supervisor prior to starting work on a project. This should include obtaining a copy of the contractor's project specific safety plan, if one is necessary, in addition to discussing your company's safety plan. Weekly safety or tool box meetings are an excellent opportunity to discuss safety issues related to a project and they are encouraged by UDOT as a way to focus on project safety.

The traffic control plan is prepared by the prime contractor and reflects the work zone traffic control that will be used during the different phases of a contract. The traffic control plan depicts the setup of traffic control devices used to guide motorists and pedestrians safely through a work zone and protect the workers from an encounter with a vehicle. It is important that a subcontractor be familiar with the traffic control that will be used since they will be required to perform work using the traffic control setups specified in the traffic control plan. Knowledge of the work zone traffic control plan allows a subcontractor to determine if any limitations will be imposed on their work by the traffic control setup and if their workers will be safely protected while performing work activities on a project. Communication with the prime contractor's supervision about the work zone traffic control plan prior to starting work on a project could result in the correction of an unsafe condition before an accident occurs, in addition to a better understanding of how traffic will be moving through the project.

A subcontractor who focuses on safety and uses the documents mentioned, will increase the awareness of what is considered an unsafe working situation and reduce the probability of a work zone injury.

Utah Microenterprise Loan Fund

Building Brighter Futures through Small Business

Submitted by Kathy Ricci, Executive Director
Utah Microenterprise Loan Fund

Millions of enterprising women and men struggle to better their lives by opening and operating their own businesses. In many instances, entrepreneurs do not have formal training or education, but they do have drive, creativity and entrepreneurial spirit to initiate and manage a small enterprise. These same entrepreneurs may not have the money, collateral or credit history to qualify for a traditional small business loan.

The Utah Microenterprise Loan Fund (UMLF) is a private, non-profit community development financial institution (CDFI) whose mission is to *provide financing and management support to entrepreneurs in start-up and existing firms that do not have access to traditional sources of capital; especially those who are socially and economically disadvantaged.*

The philosophy of microenterprise recognizes the fundamental ability of people to apply their individual talents, creativity and hard work to better their lives. The UMLF is one of several thousand microenterprise development programs across the world that are empowering people to move from dependency to self-sufficiency and self respect through small business ownership.

The UMLF offers six loan products. The majority of loans made by the UMLF have been our "Traditional" micro-loans of up to \$10,000. We also provide a micro-loan product designed for child care providers as well as a smaller, up to \$3,000, "Next Small Step" Micro-Loan for existing businesses that need a quick infusion of capital. In efforts to meet the needs of specific markets, we've also developed the "Vocational Rehabilitation" micro-loan (up to \$20,000) designed for people who have been injured on the job and looking at self-employment as a means to re-enter the job market, the "Salt Lake City" micro-loan of up to \$25,000 which is available to businesses located within Salt Lake City limits and the "Salt Lake County" micro-loan of up to \$25,000 which is available in select areas of Salt Lake County.

Loans are made based on the individual's business plan and his or her demonstrated talent, ability and initiative to make the business succeed. With the financial banking community as our partners, we've helped launch or expand more than 400 small businesses across Utah over the past eleven years, with micro-loans totaling more than \$4 million.

For more information, contact Kathi Ricci at the Utah Microenterprise Loan Fund:

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UUCP DBE Directory on the Web!

[http://www.udot.utah.gov/download.php/
tid=198/uucp_dbe_directory.pdf](http://www.udot.utah.gov/download.php/tid=198/uucp_dbe_directory.pdf)